## IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

	) Chapter 11
In re	)
	) Case No. 01-01139 (JKF)
W.R. GRACE & CO., et al.,	) (Jointly Administered)
	)
Debtors.	) Re: Docket No. 13406
	)

## CLAIMANTS REPRESENTED BY THE LAW FIRM OF DIES & HILE, L.L.P.'s SUBMISSION OF SUPPLEMENTAL EXPERT REPORT OF JAMES R. MILLETTE, PH.D. REGARDING THE SCHEDULE FOR THE ADJUDICATION OF LACK OF HAZARD ISSUES, AS DESCRIBED IN THE 15<sup>TH</sup> OMNIBUS OBJECTIONS

In accordance with the Court's Amended Order Setting Various Deadlines Regarding Objections to Asbestos Property Damage Claims, dated October 13, 2006 (D.I. 13406), Claimants represented by the Law Firm of Dies & Hile, L.L.P. (the "D&H PD Claimants")<sup>1</sup> hereby submit their Submission of Supplemental Expert Report of James R. Millette, Ph.D. Regarding the Schedule for the Adjudication of Lack of Hazard Issues, as Described in the 15<sup>th</sup> Omnibus Objections.

I.

On December 7, 2006, the D&H PD Claimants filed their Preliminary Designation of Fact and Expert Witnesses Regarding Adjudication of Lack of Hazard Issue as Described in the 15<sup>th</sup> Omnibus Objections (D.I. 13744) (the "Designation of Fact and Expert Witnesses"). In this

<sup>&</sup>lt;sup>1</sup> The Asbestos Property Damage Claimants represented by the law firm of Dies & Hile, L.L.P., on whose behalf this Preliminary Designation of Fact and Expert Witnesses is being filed include the following: State of Arizona; State of Arkansas; State of Connecticut; State of Oklahoma; State of Oregon; City of Amarillo, Texas; City of Houston, Texas; Coleman Housing Authority; El Paso County, Texas; Harlingen Housing Authority; Sabine River Authority of Texas; City of Phoenix, Arizona; City of Tucson, Arizona; Maricopa County, Arizona; Cook County, Illinois; City of Eugene, Oregon; Eastern Oregon University; Oregon Health & Science University; Oregon State University; Portland State University; Southern Oregon University; University of Oregon; Western Oregon University; Six Hundred Building Ltd.; BNC Forum LP Texas Limited Partnership; and EPEC Realty, Inc.

pleading the D&H PD Claimants identified their lack of hazard expert and fact witnesses, and the subject matter of their testimony. The D&H PD Claimants hereby fully incorporate by reference all matters set forth herein, including the exhibits and attachments to said Designation of Fact and Expert Witnesses.

II.

On December 21, 2006, the D&H PD Claimants filed Claimants Represented by the Law Firm of Dies & Hile, L.L.P.'s Submission of Expert Reports, and Identification of Any Additional Fact Witnesses and General Subject Matter of Testimony Regarding the Schedule for the Adjudication of Product Identification Issues, as Described in the 15<sup>th</sup> Omnibus Objections. In this pleading the D&H PD Claimants submitted their expert reports and/or other documentation regarding the issue of product identification. The D&H PD Claimants hereby fully incorporate by reference all matters set forth herein.

III.

On December 22, 2006, the D&H PD Claimants filed their Claimants' Represented by the Law Firm of Dies & Hile, L.L.P. Supplemental Designation of Fact and Expert Witnesses Regarding Adjudication of Lack of Hazard Issue as Described in the 15<sup>th</sup> Omnibus Objections (D.I. 13744) (the "Designation of Fact and Expert Witnesses"). In this pleading the D&H PD Claimants identified supplemental lack of hazard expert and fact witnesses, and the subject matter of their testimony. The D&H PD Claimants hereby fully incorporate by reference all matters set forth herein.

IV.

The D&H Claimants hereby file this Submission of the Supplemental Expert Report of James R. Millette, Ph.D., attached hereto as Exhibit A.

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V.

The D&H PD Claimants reserve the right to supplement this submission with other additional expert reports and/or documentation and further reserve the right to call any other expert or fact witnesses designated by any other party in this matter.

DATED: January 11, 2007

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## **SUMMARY OF EXHIBITS**

EXHIBIT A: January 10, 2007 Supplemental Expert Report of James R. Millette, Ph.D.